

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 INR-10 NSAE-00 L-03 SCS-06  
CA-01 HA-05 PA-01 ICAE-00 INRE-00 SS-15 SSO-00  
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FM AMEMBASSY MOSCOW  
TO SECSTATE WASHDC IMMEDIATE 3604  
INFO AMCONSUL LENINGRAD

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E.O. 11652: N/A  
TAGS: CGEN, SOPN, UR  
SUBJECT: TWO CORRESPONDENTS SUMMONED AS DEFENDENTS IN  
SLANDER CASE

1. CORRESPONDENTS FOR BALTIMORE SUN (HAROLD PIPER) AND  
NEW YORK TIMES (CRAIG WHITNEY) WERE HANDED SUMMONSES  
JUNE 27 DIRECTING THEM TO APPEAR IN COURT JUNE 28 AS  
DEFENDENTS (OTVETCHIKI) ACCUSED OF SLANDER.

2. PIPER AND WHITNEY SAID "PROCESS SERVER" ARRIVED AT  
THEIR OFFICES ON MORNING OF JUNE 27 AND DELIVERED  
INSTRUCTIONS TO APPEAR AT 10:40 A.M. ON FOLLOWING DAY  
AT ROOM 34, MOSCOW CITY COURT, ULITSA KOLONCHOVSKAYA  
43, IN CAPACITY OF DEFENDENTS IN "CASE 3-113/78".  
PROCESS SERVER DECLINED TO PROVIDE ANY INFORMATION AT  
ALL AS TO NATURE OF COMPLAINT, IDENTITY OF PLAINTIFFS,  
ETC. BOTH WHITNEY AND PIPER REFUSED TO SIGN RECEIPT  
FORM ACKNOWLEDGING SERVING OF SUMMONSES AND PROCESS  
SERVER BROUGHT IN TWO SOVIET "WITNESSES" WHO SIGNED  
FORMS WITH NOTE THAT NEWSMEN WOULD NOT SIGN. PROCESS  
SERVER THEREFORE TOOK BACK SUMMONSES AND LEFT.

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3. SHORTLY AFTER CORRESPONDENTS HAD INFORMED EMBASSY'S  
PRESS AND CULTURAL SECTION OF DEVELOPMENT, OFFICIAL OF  
MFA PRESS DEPARTMENT (ZHURAVLEV) CALLED P&C COUNSELOR  
TO CONVEY SAME DETAILS, WITH ADDED INFORMATION THAT THE  
CHARGE AGAINST PIPER AND WHITNEY WAS "SLANDER". TO  
COUNSELOR'S QUERY AS TO WHETHER IT INVOLVED ORAL OR  
WRITTEN STATEMENTS, ZHURAVLEV SAID IT REFERRED TO SOME-

THING THE TWO NEWSMEN HAD WRITTEN. ZHURAVLEV ADDED THAT IT WAS HIS ADVICE THAT THE TWO APPEAR IN COURT AS DIRECTED.

4. PIPER AND WHITNEY CAME TO EMBASSY SHORTLY BEFORE 13:00 LOCAL TIME TO INFORM P&C COUNSELOR AND PRESS ATTACHE OF FURTHER INFORMATION GLEANED FROM THEIR OWN CONVERSATION WITH ZHURAVLEV SUBSEQUENT TO EVENTS DESCRIBED ABOVE. ZHURAVLEV TOLD THEM THAT COMPLAINT AGAINST THEM WAS INITIATED BY STATE COMMITTEE FOR TELEVISION AND RADIO (GOSTELERADIO) AND THAT THEREFORE IT WAS ZHURAVLEV'S ESTIMATION THAT THIS WAS CIVIL RATHER THAN CRIMINAL CASE. CORRESPONDENTS SAID IT WAS ZHURAVLEV'S "VERY STRONG RECOMMENDATION" THAT THE TWO "RESPECT THE COURT AND FOLLOW ITS INSTRUCTIONS".

5. CORRESPONDENTS BELIEVE, AND EMBASSY CONCURS, THAT AS RESIDENTS OF USSR LACKING DIPLOMATIC IMMUNITY THEY HAVE NO CHOICE BUT TO APPEAR IN RESPONSE TO SUCH A DIRECT SUMMONS. FURTHER, THEY FEEL CHARGES MOST LIKELY STEM FROM ARTICLES WHICH BOTH DID ON GEORGIAN DISSIDENT ZVIAD GAMSAKHURDIA'S TELEVISED "CONFESSION" IN WAKE OF HIS TRIAL LAST MONTH. BOTH ARTICLES CITED SOVIET SOURCES AS BELIEVING GAMSAKHURDIA'S PERFORMANCE BEFORE THE CAMERAS WAS MADE UNDER DURESS AND WAS HEAVILY EDITED. NEITHER ARTICLE, HOWEVER, EXPRESSED LIMITED OFFICIAL USE

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NEWSMEN'S OWN VIEWS AND THEIR POSITION WILL BE THAT ANY "LIBEL" OF GOSTELERADIO IS NOT THEIR DOING SINCE

THEY, AS REPORTERS, WERE ONLY CONVEYING INFORMATION FROM VARIOUS SOURCES (INCLUDING, THEY NOTE, THE OFFICIAL SOVIET GOVERNMENT VERSION OF GAMSAKHURDIA'S CASE).

6. EMBASSY RECOMMENDED, AND BOTH NEWSMEN FULLY CON-  
CURRED, THAT A CONSULAR OFFICER ACCOMPANY THEM TO COURT ON JUNE 28. TOON

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## Message Attributes

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